

LEGAL NOTICE

and

Preliminary Determination for an Air Quality Permit for

Navajo Refining Company LLC, PO Box 159, Artesia, NM has submitted an air quality permit application to the New Mexico Environment Department (NMED) for an air quality permit to modify Navajo Refining - Artesia Refinery. The application file has been assigned Permit No. 0195M31 and TEMPO Agency Interest ID No. 198. The exact location of the facility is at latitude 32 deg, 50 min, 33.6 sec and longitude -104 deg, 23 min, 26.5 sec. This facility is located on Main Street in Artesia in Eddy County, New Mexico.

With this revision application, Navajo proposes to authorize changes to their Naphtha Hydrotreaters (Units 06 and 13), their Isomerization Unit (Unit 20), their Gasoline Blending Unit (Unit 29), and their tank farm (Unit 08) in order to comply with the EPA's Mobile Source Air Toxics II (MSAT2) regulation limiting the amount of benzene in gasoline. As part of this project, Navajo proposes to install some new equipment and associated piping. The only new potential emissions will be volatile organic compounds (VOCs) from new piping components. Navajo also proposes to update the permit representations for fugitive area FUG-06-NHDU. This fugitive area was previously represented as being unmonitored. It is now monitored according to the MACT CC leak detection and repair program. This application also proposes to update the unit's fugitive piping component count. The net result of these corrections is a decrease in permit allowable fugitive VOC emissions. However, Navajo is submitting this application as a Significant permit revision because calculated emissions from the new piping components associated with the MSAT2 project exceed 1.0 tpy VOC. The refinery will continue to operate 24 hours/day, 7 days/week, and 52 weeks/yr.

No new pollutants will be emitted. An estimate of the maximum emission rates from the entire refinery after this project are as follows: 1207 tons/yr carbon monoxide (no increase from this project), 678 tons/yr nitrogen oxides (no increase from this project), 354 tons/yr sulfur dioxide (no increase from this project), 200 tons/yr particulates (no increase from this project), 1594 tons/yr volatile organic compounds (calculated decrease of 23 ton/yr), 3 tons/yr hydrogen sulfide (no increase from this project), and 6 tons/yr ammonia (no increase from this project).

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and dispersion modeling analysis indicates that the facility's air emissions will meet the ambient air quality standards for carbon monoxide, nitrogen dioxides, sulfur oxides, particulate matter, ozone and hydrogen sulfide.

Based on the applicant's analysis of the proposed modification, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 3, 36, 37, 70, 71 72, 73, 74, 75, 77, 78 and 82 Regulations and the New Mexico Air Quality Control Act, 40 CFR 60 Subpart(s) A, J, Kb, GGG and QQQ, 40 CFR 61 Subpart(s) A, V and FF, and 40 CFR 63, Subpart(s) A, CC, UUU. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before December 13, 2011.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions and conditions that will require record keeping and reporting to the Department.

The permit application is available for review in electronic or hard copy at the Air Quality Bureau Office, 1301 Siler Road, Building B, Santa Fe, New Mexico. To arrange viewing of this application contact Teri

Waldron, at 505-476-4355 or teri.waldron@state.nm.us. The permit application is also available at the NMED Roswell Office, located at 1914 West Second St., Roswell, NM 88201 for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, site name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Joseph Kimbrell, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 1301 Siler Road, Building B, Santa Fe, New Mexico 87507-3113.

The Department will notify all persons, who have provided written comments, as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing prior to the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment prior to the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Joseph Kimbrell at 505-476-4347. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.